

AMENDED IN SENATE AUGUST 20, 2014

AMENDED IN SENATE JUNE 25, 2014

AMENDED IN SENATE MAY 29, 2014

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 186

Introduced by Assembly Member Maienschein

(Principal coauthor: Assembly Member Hagman)

**(Coauthors: Assembly Members Chávez, Dahle, Donnelly,
Beth Gaines, Garcia, Gorell, Grove, Harkey, Olsen, Patterson,
and V. Manuel Pérez)**

(Coauthors: Senators Fuller and Huff)

January 28, 2013

An act to add Section 115.6 to the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 186, as amended, Maienschein. Professions and vocations: military spouses: temporary licenses.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer

Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Existing law requires that the licensing fees imposed by certain boards within the department be deposited in funds that are continuously appropriated. Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

This bill would, in addition to the expedited licensure provisions described above, establish a temporary licensure process *for specified licensed professions* for an applicant who holds a current, active, and unrestricted license in another jurisdiction, as specified, and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders. The bill would require a temporary license *issued pursuant to these provisions* to expire 12 months after issuance, upon issuance of an expedited license, or upon denial of the application for expedited licensure by the board, whichever occurs first.

This bill would *also* require an applicant seeking a temporary license as a civil engineer, geotechnical engineer, structural engineer, land surveyor, professional geologist, professional geophysicist, certified engineering geologist, or certified hydrogeologist to successfully pass the appropriate California-specific examination or examinations required for licensure in those respective professions by the Board for Professional Engineers, Land Surveyors, and Geologists. ~~The bill would also authorize a board to require an applicant to successfully pass an examination in jurisprudence or California law and ethics for the issuance of a temporary license if successfully passing the examination is a requirement for all applicants for full licensure.~~

~~This bill would exclude the California Architects Board, the Landscape Architects Technical Committee, the Contractors' State License Board, the State Board of Chiropractic Examiners, and a board that established a temporary licensing process before January 1, 2014, from these provisions.~~

Because the bill would authorize the expenditure of continuously appropriated funds for a new purpose, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 115.6 is added to the Business and
2 Professions Code, to read:
3 115.6. (a) A board within the department shall, after
4 appropriate investigation, issue ~~a the following eligible~~ temporary
5 ~~license licenses~~ to an applicant if he or she meets the requirements
6 set forth in subdivision (e). ~~The temporary license shall expire 12~~
7 ~~months after issuance, upon issuance of an expedited license~~
8 ~~pursuant to Section 115.5, or upon denial of the application for~~
9 ~~expedited licensure by the board, whichever occurs first. (c):~~
10 (1) *Registered nurse license by the Board of Registered Nursing.*
11 (2) *Vocational nurse license issued by the Board of Vocational*
12 *Nursing and Psychiatric Technicians of the State of California.*
13 (3) *Psychiatric technician license issued by the Board of*
14 *Vocational Nursing and Psychiatric Technicians of the State of*
15 *California.*
16 (4) *Speech-language pathologist license issued by the*
17 *Speech-Language Pathology and Audiology and Hearing Aid*
18 *Dispensers Board.*
19 (5) *Audiologist license issued by the Speech-Language*
20 *Pathology and Audiology and Hearing Aid Dispensers Board.*
21 (6) *Veterinarian license issued by the Veterinary Medical Board.*
22 (7) *All licenses issued by the Board for Professional Engineers,*
23 *Land Surveyors, and Geologists.*
24 (8) *All licenses issued by the Medical Board of California.*
25 (b) The board may conduct an investigation of an applicant for
26 purposes of denying or revoking a temporary license issued
27 pursuant to this section. This investigation may include a criminal
28 background check.
29 (c) An applicant seeking a temporary license pursuant to this
30 section shall meet the following requirements:
31 (1) The applicant shall supply evidence satisfactory to the board
32 that the applicant is married to, or in a domestic partnership or

1 other legal union with, an active duty member of the Armed Forces
2 of the United States who is assigned to a duty station in this state
3 under official active duty military orders.

4 (2) The applicant shall hold a current, active, and unrestricted
5 license that confers upon him or her the authority to practice, in
6 another state, district, or territory of the United States, the
7 profession or vocation for which he or she seeks a temporary
8 license from the board.

9 (3) The applicant shall submit an application to the board that
10 shall include a signed affidavit attesting to the fact that he or she
11 meets all of the requirements for the temporary license and that
12 the information submitted in the application is accurate, to the best
13 of his or her knowledge. The application shall also include written
14 verification from the applicant's original licensing jurisdiction
15 stating that the applicant's license is in good standing in that
16 jurisdiction.

17 (4) The applicant shall not have committed an act in any
18 jurisdiction that would have constituted grounds for denial,
19 suspension, or revocation of the license under this code at the time
20 the act was committed. A violation of this paragraph may be
21 grounds for the denial or revocation of a temporary license issued
22 by the board.

23 (5) The applicant shall not have been disciplined by a licensing
24 entity in another jurisdiction and shall not be the subject of an
25 unresolved complaint, review procedure, or disciplinary proceeding
26 conducted by a licensing entity in another jurisdiction.

27 (6) The applicant shall, upon request by a board, furnish a full
28 set of fingerprints for purposes of conducting a criminal
29 background check.

30 (d) A board may adopt regulations necessary to administer this
31 section.

32 (e) A temporary license issued pursuant to this section ~~for the~~
33 ~~practice of medicine~~ may be immediately terminated upon a finding
34 that the temporary licenseholder failed to meet any of the
35 requirements described in subdivision (c) or provided substantively
36 inaccurate information that would affect his or her eligibility for
37 temporary licensure. Upon termination of the temporary license,
38 the board shall issue a notice of termination that shall require the
39 temporary licenseholder to immediately cease the practice of
40 ~~medicine~~ *the licensed profession* upon receipt.

1 (f) An applicant seeking a temporary license as a civil engineer,
2 geotechnical engineer, structural engineer, land surveyor,
3 professional geologist, professional geophysicist, certified
4 engineering geologist, or certified hydrogeologist pursuant to this
5 section shall successfully pass the appropriate California-specific
6 examination or examinations required for licensure in those
7 respective professions by the Board for Professional Engineers,
8 Land Surveyors, and Geologists.

9 ~~(g) A board within the department may require an applicant to~~
10 ~~successfully pass an examination in jurisprudence or California~~
11 ~~law and ethics for the issuance of a temporary license pursuant to~~
12 ~~this section if successfully passing the examination is a requirement~~
13 ~~for all applicants for full licensure.~~

14 ~~(h) This section shall not apply to the California Architects~~
15 ~~Board, the Landscape Architects Technical Committee, the~~
16 ~~Contractors' State License Board, or the State Board of~~
17 ~~Chiropractic Examiners.~~

18 ~~(i) This section shall not apply to a board that established a~~
19 ~~temporary licensing process before January 1, 2014.~~

20 (g) *A temporary license issued pursuant to this section shall*
21 *expire 12 months after issuance, upon issuance of an expedited*
22 *license pursuant to Section 115.5, or upon denial of the application*
23 *for expedited licensure by the board, whichever occurs first.*